

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-11418-NMG

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**ANDREW CHMIELINSKI**  
**Plaintiff**

**v.**

**COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF THE COMMISSIONER OF PROBATION  
and COMMONWEALTH OF MASSACHUSETTS  
TRIAL COURT and JOHN J. O'BRIEN, INDIVIDUALLY  
and ANTHONY J. SICUSO, INDIVIDUALLY  
Defendants**

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**NOTICE OF APPEAL**

Plaintiff Andrew Chmielinski hereby files this notice of appeal from the Order entered on March 22, 2007 in this action granting the Motion to Dismiss of Defendant Commonwealth of Massachusetts Office of the Commissioner of Probation, granting the Motion to Dismiss of Defendant Commonwealth of Massachusetts Trial Court, granting the Motion to Dismiss of Defendant John J. O'Brien, Individually, and granting the Motion to Dismiss of Defendant Anthony J. Sicuso, Individually. This appeal is taken to the United States Court of Appeals for the First Circuit.

Andrew Chmielinski  
By his attorney,  
MITCHELL J. NOTIS

/s/ Mitchell J. Notis

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MITCHELL J. NOTIS  
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**CERTIFICATE OF SERVICE**

I, Mitchell J. Notis, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and that paper copies will be sent to any non-registered participants as indicated in the Notice of Electronic Filing, this 12<sup>th</sup> day of April, 2007.

/s/Mitchell J. Notis

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